

REMARKS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Claim Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 9 and 14 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation “the PCA processed stereo data” in lines 2-3. The Examiner has rejected this limitation, stating there is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation “the processed stereo data” in line 4. The Examiner has rejected this limitation, stating there is insufficient antecedent basis for this limitation in the claim.

Claim Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 1-15 under 35 U.S.C. § 102(b) as being anticipated by Guenter al al. (hereinafter “Guenter”).

“To anticipate a claims, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

Independent claims 1, 6, and 11 of the present application include limitations not disclosed or taught by Guenter. As a result, claims 1, 6, and 11 are patentable over Guenter.

In particular, applicant's claims, as amended, include the limitation, or a limitation similar there to, of:

obtaining stereo data based on input image sequences, *including obtaining stereo data based on input image sequences of varying facial expressions*;

building a three-dimensional (3D) model using the obtained stereo data; and

tracking a monocular image sequence using the built 3D model. (emphasis added). (Applicant's claim 1).

Guenter, however, does not disclose nor suggest the limitation of **obtaining stereo data based on input image sequences**, *including obtaining stereo data based on input image sequences of varying facial expressions*, as claimed by applicant. Rather, Guenter discloses:

We have created a system for capturing both the **three-dimensional geometry and color and shading information** for human facial expressions. We use this data to reconstruct photorealistic, 3D animations of captured expressions. (emphasis added) (Guenter Abstract).

As shown, Guenter does not disclose the limitation of *obtaining stereo data based on input image sequences of varying facial expressions*. Rather, Guenter is limited to disclosing capturing the "three-dimensional geometry," "color," and "shading information" in order to reconstruct 3D animations of captured expressions, as opposed to applicant's claimed limitation of *obtaining stereo data based on input image sequences of varying facial expressions*.

Therefore, in view of applicant's independent claims including limitations that are not disclosed nor suggested by Guenter, applicant's independent claims are patentable over Guenter.

In addition, the remaining claims depend from one of the independent claims as discussed above, and therefore include similar limitations, and as a result are also patentable over Guenter.

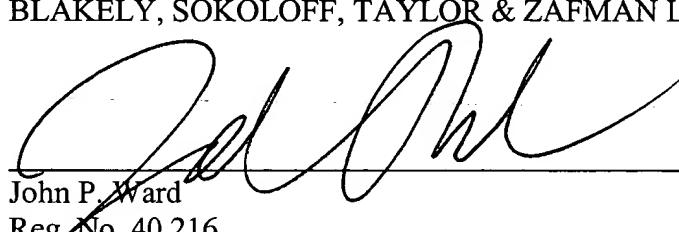
It is respectfully submitted that in view of the amendments and remarks set forth herein, all rejections have been overcome. All pending claims are now in condition for allowance, which is earnestly solicited.

Authorization is hereby given to charge our Deposit Account 02-2666 for any charges that may be due. Furthermore, if an extension is required, then applicants hereby request such an extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 2/23, 2004

  
John P. Ward  
Reg. No. 40,216

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1030  
(408) 720-8300